

**ENTERED**

February 16, 2017

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**XAVIER LEVAR CONLEY,  
(TDCJ-CID #1961020)

Plaintiff,

vs.

HARRIS COUNTY, et al.,

Defendants.

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CIVIL ACTION H-15-3577

**MEMORANDUM ON DISMISSAL**

The plaintiff, a former inmate of the Texas Department of Criminal Justice - Correctional Institutions Division (“TDCJ-CID”) filed this civil rights action *in forma pauperis*. On January 5, 2016, this court advised the plaintiff that he must pay the entire filing fee of \$350.00 when funds were available in his inmate account. (Docket Entry No. 9). On January 17, 2017, the plaintiff advised the Clerk in writing of his current address, in accordance with Local Rule 83.4. (Docket Entry No. 8).

A copy of the court’s order was mailed to plaintiff at the address on record for the plaintiff. The Order was returned to the court by the postal service with the notation, “Return to Sender, Insufficient Address, Unable to Forward.” (Docket Entry No. 10).

Under Local Rule 83.4, a pro se litigant is responsible for keeping the Clerk advised in writing of his current address. The court will send notices only to the address on file. The plaintiff has failed to provide the court with an accurate, current address. Under the inherent powers

necessarily vested in a court to manage its own affairs, this court determines that dismissal for want of prosecution is appropriate. *See* FED. R. CIV. P. 41(b); *Link v. Wabash R.R.*, 370 U.S. 626 (1962); *Woodson v. Surgitek, Inc.*, 57 F.3d 1406, 1417 (5th Cir. 1995); 8 J. MOORE ET AL., MOORE'S FEDERAL PRACTICE § 41.51(3)(b) & (e) (3d ed. 2010). The plaintiff is advised, however, that upon a proper showing, relief from this order may be granted in accordance with FED. R. CIV. P. 60(b). *See Link*, 370 U.S. at 635.

This action is DISMISSED without prejudice for want of prosecution.

SIGNED at Houston, Texas, on Feb. 15, 2017.

A handwritten signature in black ink, appearing to read 'Vanessa D. Gilmore', written over a horizontal line.

VANESSA D. GILMORE  
UNITED STATES DISTRICT JUDGE